

## **REMARKS/ARGUMENTS**

In response to the Examiner's final Office Action of May 14, 2008 the Applicant respectfully submits the accompanying terminal disclaimer and Amendment of the claims, and the following Remarks.

### ***Regarding Amendment***

In the Amendment:

claim 1 is amended to incorporate the allowable subject matter of claim 8;

claim 3 is amended to replace "the bubble forming chamber with a circular cross section wherein the heater element" with -- the bubble forming chamber has a circular cross section, and the heater element--;

claim 8 is canceled;

claim 17 is amended to replace "two nanograms of the solid material" with --two nanograms of solid material--;

claims 2, 4-6, 10-16 and 18 are unchanged; and

claims 19-22, 24, 25, 27, 29-44 and 46-54 are cancelled.

It is respectfully submitted that the Amendment does not add any new matter to the present application, nor any new issues to the prosecution of the present application.

### ***Regarding Claim Objections***

It is respectfully submitted that the amendments of claims 3 and 17 provide the corrections required by the Examiner.

### ***Regarding Double Patenting Rejections***

With respect to the Examiner's provisional non-statutory double patenting rejections of claims 1-6 and 10-18 over the cited claims of copending Application No. 10/773,186 in view of previously cited Campbell, the Applicant submits herewith a Terminal Disclaimer in compliance with 37 C.F.R. 1.321(c); the present application and Application No. 10/773,186 being commonly owned by the Applicant.

### ***Regarding 35 USC 102(b) and 103(a) Rejections***

The Examiner is respectfully requested to withdraw the anticipation and obviousness rejections of claims 1-6 and 10-18 over the cited references based on the amendment of independent claim 1 to incorporate the allowable subject matter of pending dependent claim 8.

### ***Regarding Allowable Subject Matter***

The Applicant appreciates the Examiner's indication of the allowability of the subject matter of pending claims 8, 27 and 44 under the conditions stated in the Office Action.

It is respectfully submitted that all of the Examiner's objections and rejections have been traversed. Accordingly, it is submitted that the present application is in condition for allowance and reconsideration of the present application is respectfully requested.

Very respectfully,

Applicant/s:



---

Kia Silverbrook

C/o:

Silverbrook Research Pty Ltd  
393 Darling Street  
Balmain NSW 2041, Australia

Email:

kia.silverbrook@silverbrookresearch.com

Telephone:

+612 9818 6633

Facsimile:

+61 2 9555 7762